

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Nov 05, 2021**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JENNY G.,<sup>1</sup>

Plaintiff,

v.

KILOLO KIJAKAZI, Acting  
Commissioner of Social Security,

Defendant.

No. 4:20-cv-5214-EFS

**ORDER GRANTING THE PARTIES'  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C.  
§ 405(g)**

On November 1, 2021, the parties filed a Stipulated Motion for Remand. ECF No. 25. The parties agree that the matter should be reversed and remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings. The parties also agree that Plaintiff is entitled to reasonable attorney fees and costs under the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to the Court. Having reviewed the record, the Court finds good cause to grant the parties' motion,

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<sup>1</sup> To protect the privacy of the social-security Plaintiff, the Court refers to her by first name and last initial or by "Plaintiff." See LCivR 5.2(c).

reverse the decision of the administrative law judge (ALJ), and remand this case for further proceedings as set forth below.

Accordingly, consistent with the parties' agreement, **IT IS HEREBY ORDERED** as follows:

1. The parties' Stipulated Motion for Remand, **ECF No. 25**, is **GRANTED**.
2. Judgment shall be entered for **Plaintiff**.
3. This matter is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council is to instruct the ALJ to do the following:
  - A. further develop the record;
  - B. reevaluate the medical evidence of record;
  - C. reevaluate, with the assistance of a specialized medical expert, if available, the severity of Plaintiff's headaches, consistent with Social Security Ruling 19-4p;
  - D. assess whether Plaintiff's headaches meet or equal a listing;
  - E. if necessary, reevaluate Plaintiff's maximum physical and mental residual functional capacity pursuant to 20 C.F.R. § 404.1545 and SSRs 85-16 and 96-8p;
  - F. proceed with the remaining steps of the sequential evaluation process, as necessary;
  - G. offer Plaintiff the opportunity for a hearing; and

H. take any further action needed to complete the administrative record and issue a new decision.

4. All pending motions are **DENIED AS MOOT**.

5. All hearings and other deadlines are **STRICKEN**.

6. If filed, the Court will consider Plaintiff's motion for fees and expenses under the Equal Access to Justice Act.

7. The Clerk's Office is directed to **CLOSE** this file.

**IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and provide copies to all counsel.

**DATED** this 5<sup>th</sup> day of November 2021.

s/Edward F. Shea  
EDWARD F. SHEA  
Senior United States District Judge